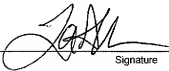


PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) MS1 0583US							
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____ N/A Filed by EFS WEB		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;">Application Number 09/599,813</td> <td style="width: 50%; vertical-align: top;">Filed 6/21/2000</td> </tr> <tr> <td colspan="2" style="vertical-align: top;">First Named Inventor Adriana Ardeleanu</td> </tr> <tr> <td style="vertical-align: top;">Art Unit 2176</td> <td style="vertical-align: top;">Examiner QUOC A TRAN</td> </tr> </table>		Application Number 09/599,813	Filed 6/21/2000	First Named Inventor Adriana Ardeleanu		Art Unit 2176	Examiner QUOC A TRAN
Application Number 09/599,813	Filed 6/21/2000								
First Named Inventor Adriana Ardeleanu									
Art Unit 2176	Examiner QUOC A TRAN								
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>									
<p>I am the</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. 38605 Registration number _____</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> </div> <div style="width: 45%; text-align: center;">  _____ Signature Lance R. Sadler _____ Typed or printed name 509-324-9256 _____ Telephone number 8/1/06 _____ Date </div> </div>									

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

2 Application Serial No.09/599,813
3 Filing Date 06/21/2000
4 Inventorship Ardeleanu et al.
5 Applicant..... Microsoft Corp.
6 Group Art Unit2176
7 Examiner Tran, Q. A.
8 Attorney's Docket No. MS1-583US
9 Title: AUTHORIZING ARBITRARY XML DOCUMENTS USING DHTML AND
10 XSLT

11 **PRE-APPEAL BRIEF REQUEST FOR REVIEW**

12 To: Mail Stop AF
13 Commissioner of Patents and Trademarks
14 P.O. Box 1450
15 Alexandria, VA 22313-1450

16 From: Lance R. Sadler (Tel. 509-324-9256; Fax 509-323-8979)
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18 421 W. Riverside Avenue, Suite 500
19 Spokane, WA 99201

20 **REMARKS**

21 The Pre-Appeal Panel (hereinafter "Panel") is respectfully requested to
22 consider this Request, which is submitted in accordance with the Pre-Appeal Brief
23 Conference Program rules. A summary of the rejected claims is provided in the
24 Office Action dated May 5, 2006, on pages 2-43 thereof (hereinafter "Office
25 Action"). The Applicant summarized the rejections of record in this Request as
 well. The Panel is requested to reconsider the rejections of record in view of the
 following comments and the arguments currently of record. Because of the
 requirements of brevity, Applicant will discuss only independent claims 1, 10, 20,
 27, 35 and 39

1 **Rejection of independent claims 1 and 10**

2 Independent claims 1 and 10 stand rejected under 35 U.S.C. §103(a) as
3 being obvious over U.S. Patent Publication No. 2003/0204814A1 to Elo et al.
4 (hereinafter “Elo”) in view of U.S. Patent Publication No. 2001/0056429A1 to
5 Moore et al. (hereinafter “Moore”). In making out the rejection of claim 1, the
6 Office argues that its subject matter is obvious over Elo in view of Moore. Elo
7 and Moore fail to provide all of this claim’s features.

8 The Office admits that Elo does not explicitly teach using at least one
9 XSLT transformation (XSL-T) and presenting a user interface based, at least in
10 part, on the XSL-T that was used to render a DHTML document. However, the
11 Office then argues that this feature of claim 1 is taught by Moore. This is not the
12 case.

13 The Office cites to paragraph 291 of Moore as disclosing this feature of
14 claim 1. While this paragraph does contain the terms “XSLT” and “DHTML”,
15 nowhere does it disclose or even suggest a *user interface* that is based, at least in
16 part, on the XSL-T that was used to render a DHTML document. This section of
17 Moore merely describes that the presentation mechanism (e.g. XSLT) should be
18 able to *map a representation* of a collection or a data object into a presentation
19 language such as HTML (or, alternatively, DHTML).

20 In making out the rejection of claim 10, the Office argues that its subject
21 matter is obvious over Elo in view of Moore and rejected “along the same
22 rationale” as in claim 1. Elo and Moore fail to provide all of this claim’s features.

23 Specifically, the Office argues that the combination of Elo and Moore
24 discloses the feature of considering multiple parameters, one of which includes an
25

1 XSL-T file, and based upon the considered parameters, rendering a user interface.
2 Applicant contends that this feature is missing from the cited references.

3 **The Rejection of Independent Claim 20**

4 Claim 20 stands rejected under 35 U.S.C. § 103(a) as being obvious over
5 Elo in view of Moore and further in view of U.S. Patent Publication No.
6 2003/0051243A1 to Lemmons et al. (hereinafter "Lemmons"). Applicant
7 respectfully disagrees and submits that the Office has failed to establish a *prima*
8 *facie* case of obviousness since the combination of Elo, Moore and Lemmons fails
9 to provide all of this claim's features.

10 Applicant contends that none of the references disclose or suggest *a*
11 *method of providing a user interface comprising making a selection in a*
12 *DHTML view and determining, based upon the selection, a corresponding*
13 *selection in an XML document.*

14 Next, the Office admits that neither Elo nor Moore explicitly teach the
15 features of: determining, based upon the corresponding selection in the XML
16 document, a corresponding portion of an XML schema; determining, based upon
17 the XML schema portion, one or more types of action that can be undertaken; and
18 producing one or more operations that can be undertaken for various determined
19 action types and instead relies on Lemmons for these features. These features are
20 not, however, disclosed or suggested by Lemmons.

21 **The Rejections of Independent Claims 27, 35, 39 and 45**

22 Independent claims 27, 35, 39 and 45 stand rejected under 35 U.S.C. §
23 103(a) as being obvious over Elo in view of Moore and further in view of U.S.
24 Patent Publication No. 2004/0205473A1 to Fisher et al. (hereinafter "Fisher").
25

1 In making out the rejection of claim 27, the Office argues that its subject
2 matter is obvious over Elo in view of Moore and further in view of Fisher. These
3 references fail to provide all of this claim's features.

4 Applicant agrees with the Office's admission that Elo, Moore and
5 Lemmons do not explicitly teach the feature of defining one or more crystals, each
6 of which containing one or more behaviors and an XSLT transformation for
7 transforming an XML document into a DHTML view. However, Applicant
8 disagrees with the Office's assertion that Fisher teaches this feature of claim 27.

9 In making out the rejection of claim 35, the Office argues that its subject
10 matter is obvious over Elo in view of Moore and further in view of Fisher. Elo,
11 Moore and Fisher fail to provide all of this claim's features. Specifically, this
12 combination of references fails to disclose or suggest the feature of multiple
13 crystals, each of which containing one or more behaviors and an XSLT
14 transformation for transforming an XML document into a DHTML view.

15 In making out the rejection of claim 39, the Office argues that its subject
16 matter is obvious over Elo in view of Moore and further in view of Fisher. Elo,
17 Moore and Fisher fail to provide all of this claim's features. Specifically, these
18 references fail to disclose the feature of responsive to a user interacting with a
19 DHTML view associated with the DHTML tag, *using one or more behaviors to*
20 *map user interactions to the XML document and effect structural changes on*
21 *the XML document.*

22 In making out the rejection of claim 45, the Office argues that its subject
23 matter is obvious over Elo in view of Moore and further in view of Fisher. Elo,
24 Moore and Fisher fail to provide all of this claim's features.

1 The Office's combination of references neither discloses nor suggests one
2 or more crystals, each of which containing at least one behavior and XSL-T for
3 rendering XML into DHTML. Further, a careful search of the cited references
4 fails to discover any mention of *data shapes*, much less *common data shapes*
5 *independent of any XML schema*.

6
7 **Conclusion**

8 In accordance with the above, the Panel is respectfully requested to reconsider
9 and withdraw the rejections of the claims. The pending claims are in condition for
10 allowance. Applicant respectfully requests reconsideration and prompt allowance on
11 the subject application.

12
13 Respectfully Submitted,

14
15 Dated: 8/7/06

16 By: 

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